



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,578	09/10/2003	Zsuzsanna Nagy	0399.0002C	4669
27896	7590	12/17/2008	EXAMINER	
EDELL, SHAPIRO & FINNAN, LLC 1901 RESEARCH BOULEVARD SUITE 400 ROCKVILLE, MD 20850				BURKHART, MICHAEL D
1633		ART UNIT		PAPER NUMBER
			NOTIFICATION DATE	
			DELIVERY MODE	
			12/17/2008	
			ELECTRONIC	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

[epatent@usiplaw.com](mailto:epatent@usiplaw.com)

<b>Advisory Action</b> <b>After the Filing of an Appeal Brief</b>	Application No. 10/659,578 Examiner MICHAEL BURKHART	Applicant(s) NAGY, ZSUZSANNA Art Unit 1633
--	---	---

*--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

The reply filed 11/17/2008 is acknowledged.

1.  The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because:
    - a.  The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).
    - b.  The affidavit or other evidence is not timely filed before the filing of an appeal brief. See 37 CFR 41.33(d)(2).
  2.  The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.
- Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences for further consideration of rejection (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).
3.  The reply is entered. An explanation of the status of the claims after entry is below or attached.
  4.  Other: \_\_\_\_\_

/Michael Burkhart/  
Primary Examiner, Art Unit 1633

Applicants present no new arguments regarding the outstanding 35 USC 112 1st paragraph rejections. Hence, claims 1-3, 5, 6, 8, 17, 30-32 and 34 remain rejected as failing to comply with the written description requirement and the enablement requirement for reasons set forth in the previous Office Actions.